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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,420	03/22/2001	Motohisa Hirano	44471/255858	4555

23370 7590 02/17/2005

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/815,420

Applicant(s)

HIRANO ET AL.

Examiner

Joseph R Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39 and 40 is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

2. Claims 1-10, 12, 14-23, 25, 27-31, 33, and 35-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Skardon (U.S. Pat. No. 6,466,133), hereinafter referred to as Skardon.
3. Regarding claims 1, 14, and 27, Skardon disclosed a method and system for providing environmental information to client users. The invention comprised obtaining environmental data from a sensor, storing and processing the data at a base device, and sending the processed data to a user through a communication network (see column 2, lines 24-38; column 3, lines 63-66; column 5, line 56 through column 6, line 55). The processing of the data was performed according to user information of an individual user (see column 4, lines 61-66).
4. Regarding claims 2, 15, and 38, Skardon disclosed storing a plurality of trigger thresholds (pollen amount levels) for various allergens and related matters (pollen allergy symptoms). This data was used for generating the advice for warning a patient client (see column 11, lines 1-27).
5. Regarding claims 3 and 16, Skardon disclosed the use of both wired or wireless network communications (see column 7, lines 14-22).

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6. Regarding claims 4, 17, and 28, environmental data could be transmitted either automatically or in response to a request (see column 10, lines 39-44).

7. Regarding claims 5 and 18, Skardon disclosed employing a policy in response to a sensor measurement meeting a prescribed condition (see column 10, lines 14-22).

The broad concept of the claimed prescribed condition is likened to the disclosed “trigger threshold”, while the broad concept of a measurement condition setting update is likened to the disclosed generated response.

8. Regarding claims 6, 19, and 29, Skardon disclosed providing information for a location automatically identified according to a communication with a user or ascertained from a location registered by the user, or for a location close to the current location, identified dynamically from the collected environmental data (see column 9, line 67 through column 10, line 3).

9. Regarding claim 7, 20, and 30, Skardon disclosed measuring the amount of pollen in a region as one of the types of environmental data measured (see column 4, lines 1-13).

10. Regarding claims 8 and 21, Skardon disclosed applying statistical information processing with respect to the pollen data collected, including averaging and cumulative integration calculations as claimed (see column 10, lines 45-63).

11. Regarding claims 9 and 22, Skardon disclosed storing measured data in a cache, with the ability to apply a data expiration policy to the cached data based on a specified time frame (see column 10, lines 4-13). Storing the data with date and time information as claimed is inherent in this case as it would be necessary in applying the data

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expiration policy. It is also clear that this policy, applied at the base device, is a process operating as a function of the date and time information as claimed since the policy depends on such data.

12. Regarding claims 10, 23, and 31, Skardon implicitly disclosed judging whether a monitored region was in a state of either low pollen count or high pollen count, describing the use of allergen thresholds to trigger generation of system responses (see column 10, lines 14-22). A threshold implies that there is a clearly defined state below the threshold and a state above the threshold where in context of pollen count, the states clearly relate to low and high pollen count, respectively.

13. Regarding claims 12, 25, and 33, Skardon disclosed the use of a patient database for storing pollen data responses generated when the data for a region has changed, and personal information for a user, including a user identification and a registered region for the user (see column 4, line 61 through column 5, line 13; column 11, lines 1-28). A user's personal information was stored into the database through a registration process (see column 9, lines 17-39). The pollen information provided to the user was done according to the identified user as claimed, where the generated response was generated based on information stored at the personal information database (see column 9, lines 40-48).

### ***Claim Rejections - 35 USC § 103***

14. Claims 11, 24, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skardon (U.S. Pat. No. 6,466,133), as applied to claims 10, 23, and

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31 above, and further in view of Blants et al. (U.S. Pat. No. 6,231,519), hereinafter referred to as Blants.

15. Skardon disclosed a method and system for providing environmental information to client users. The invention comprised obtaining environmental data from a sensor, storing and processing the data at a base device, and sending the processed data to a user through a communication network (see column 2, lines 24-38; column 3, lines 63-66; column 5, line 56 through column 6, line 55). Skardon disclosed delivering the processed data to users in various forms, including audio signals, pager messages, fax, or e-mail (see column 10, lines 23-38).

16. While Skardon disclosed several different forms for the pollen data output, Skardon did not specifically disclose forming a map indicating the pollen distribution levels for the measured regions.

17. In a related art of air quality analysis, Blants disclosed a method and system for monitoring pollen levels and sending alerts over a network to users concerning the levels. Most importantly, Blants disclosed generating the measured pollen data into a map (see column 3, lines 18-23; column 4, lines 56-60; column 5, lines 30-35, 47-59).

18. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Skardon and Blants to provide measured pollen information to users in the form of maps indicating the pollen distribution levels for a measured region. One of ordinary skill in the art would have been motivated to do so as providing the data in the form of a map was easier and overcame the problem wherein it

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was difficult to identify the risk factor of a location (see column 2, lines 23-33; column 5, lines 60-64).

19. Claims 13, 26, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skardon (U.S. Pat. No. 6,466,133), as applied to claims 7, 20, and 30 above, and further in view of Blants et al. (U.S. Pat. No. 6,231,519), hereinafter referred to as Blants.

20. Skardon disclosed measuring and storing a pollen amount level for a region (see column 3, lines 63-67), storing user information including a user ID, user specified region, and related pollen level data including trigger thresholds and medical information (see column 11, lines 1-28), searching the databases holding the pollen and user information, and generating pollen warning information to send to the user (see column 11, lines 41-54).

21. While Skardon disclosed storing the medical information of a user and using the information for generating pollen warnings, Skardon did not specifically disclose storing allergy symptoms of a user corresponding between different pollen amount levels.

22. In a related art of air quality analysis, Blants disclosed a method and system for monitor pollen levels and sending alerts over a network to users concerning the levels. Most importantly, Blants disclosed using a server for correlating symptoms with different levels of air quality (see column 4, lines 35-41; column 5, lines 12-19).

23. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Skardon and Blants to provide more detailed

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pollen level warning information to users, including an indication of a symptom corresponding with the measured pollen level ascertained from a stored correlation between symptoms and different pollen levels as claimed. The invention of Blants is very similar to that of Skardon with the added provision for correlating symptoms and air quality patterns. One of ordinary skill in the art would have been motivated to consider such a provision because the added symptom criteria provided a more accurate measurement of the risk of a location to a certain individual (see column 5, lines 37-59).

***Allowable Subject Matter***

24. Claims 39 and 40 are allowed.

25. The following is an examiner's statement of reasons for allowance:

26. The provision for a plurality of environment sensors arranged in a plurality of regions configured to measure environmental information automatically, a first communication unit for collecting the information measured by each sensor, a database for storing the information collected by the first communication unit, a processing unit to process the information stored in the database according to a user information of an individual user, a second communication unit for providing the processed information to the individual user through a network, and a commanding unit configured to command a measurement condition setting update of all sensors in a region for carrying out the measurement, when some sensor operated to carry out the measurement in a selected region measures a large amount of pollens was not expressly disclosed or suggested by the prior art of record. The combination of the environmental information collection



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system with the ability to command a measurement condition setting update of all the sensors when one sensor measures a large amount of pollen to provide, for example as described in the Specification (see p. 14, lines 10-18), activation of sensors not carrying out measurement of pollen in view of limited battery power, is found to be a novel feature of the claimed invention over the prior art as set forth in claims 39 and 40. Support for this functionality can be found in the Specification, p. 13 line 3 through p. 15 line 13 and Fig. 4.

27. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

28. Applicant's arguments filed 11/15/04 have been fully considered but they are not persuasive.

29. Regarding claims 1, 14, and 27 rejected under 35 U.S.C. 102(e), Applicant asserts that Skardon does not describe the limitations of the newly amended claims of processing environmental information in the base device according to user information when the environmental information exceeds a threshold, wherein the user information includes the threshold information. Examiner disagrees. As noted in the previous Office Action, Skardon disclosed the use of allergen trigger threshold information (see column 10, lines 14-22). Such threshold information was stored in each patient client

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record as medical related information (see column 11, lines 1-20). Thus, Skardon disclosed user information including threshold information as claimed. Additionally, Examiner agrees that such user information was used to generate advice for a patient as acknowledged by Applicant. However, Examiner submits that it is this suggestion that reads upon the broad concept of processing the environmental information (i.e., allergen data), which Skardon disclosed could be based on the medical history of the patient client (see column 11, lines 50-55). The board concept of "processing" as claimed by the Applicant can be read upon by the disclosed "generating advice" of Skardon. Skardon disclosed generating advice, taking into consideration relevant medical information maintained for the patient client (see column 4, line 61 through column 5, line 13). Skardon disclosed that such medical information could include the threshold information, and further disclosed providing the advice in the event of an "undesirable air/asthma condition" (see column 8, lines 11-53). Examiner submits that Skardon thus suggested processing environmental information when the environmental information exceeds a user-specified threshold as claimed, as advice was generated (processed) when allergen data (environmental information) created an undesirable condition (exceeded a threshold) based on patient client data (user information).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. (U.S. Pat. No. 6,230,080) disclosed a method and system for monitoring a clean room regulating system.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

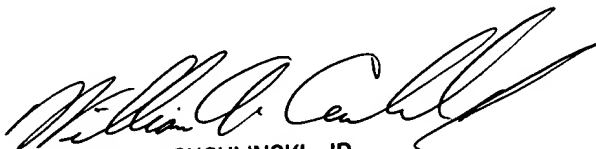
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM

  
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